

United States District Court
Southern District of Texas

ENTERED

January 27, 2023

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

RYAN HIGGS and ALYSSA WOJNAR
on behalf of themselves and all others
similarly situated,
Plaintiffs,

v.

OAKBEND MEDICAL CENTER,
Defendant.

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**Case No. 4:22-cv-03740
Judge Alfred H. Bennett**

TAHJAE FANIEL, individually and on
behalf all others similarly situated,
Plaintiff,

v.

OAKBEND MEDICAL CENTER,
Defendant.

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**Case No. 4:22-cv-04092
Judge Keith P. Ellison**

JAMES JACKS and DARREN JACKSON
on behalf of themselves and all others
similarly situated,
Plaintiffs,

v.

OAKBEND MEDICAL CENTER,
Defendant.

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**Case No. 4:22-cv-04386
Judge Charles Eskridge**

**ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION TO
CONSOLIDATE**

WHEREAS Plaintiffs Ryan Higgs and Alyssa Wojnar (*Higgs et al. v. OakBend Medical Center*, 4:22-cv-03740 (S.D. Tex.) (Judge Bennett) (“*Higgs*”)), Plaintiff Tahjae Faniel (*Faniel v. OakBend Medical Center*, 4:22-cv-04092 (S.D. Tex.) (Judge Ellison) (“*Faniel*”)), and Plaintiffs James Jacks, and Darren Jackson (*Jacks et al. v. OakBend Medical Center*, 4:22-cv-04386 (S.D. Tex.) (Judge Eskridge) (“*Jacks*”)) (together, the “Related Actions”), have filed a motion requesting that the Court consolidate the *Faniel* and *Jacks* actions into the first-filed action, *Higgs et al. v. OakBend Medical Center*, 4:22-cv-03740 (S.D. Tex.); and

WHEREAS, the Court has carefully reviewed the motion, including the memorandum in support thereof and all files, records, and prior proceedings to date in this matter, and good cause appearing based on the record.

NOW THEREFORE, IT IS ORDERED that:

1. The following related actions shall be consolidated for all purposes: *Higgs et al. v. OakBend Medical Center*, 4:22-cv-03740 (S.D. Tex.); *Faniel v. OakBend Medical Center*, 4:22-cv-04092 (S.D. Tex.); and *Jacks et al. v. OakBend Medical Center*, 4:22-cv-04386 (S.D. Tex.). The *Higgs* case is designated as the lead case. All papers filed in the Consolidated Action shall be filed under Case No. 4:22-cv-03740 and shall bear the following caption:

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS**

IN RE OAKBEND MEDICAL CENTER
DATA BREACH LITIGATION

Lead Case No.: 4:22-cv-03740

This Document Relates To:

2. Initial deadlines for the Consolidated Action are as follows:

- a. Plaintiffs shall file a Consolidated Complaint no later than 30 days following entry of this Order;
- b. Defendant shall file an answer or otherwise respond to the Consolidated Complaint within 30 days of the filing of the Consolidated Complaint;
- c. Plaintiffs shall file an opposition to any motion to dismiss or similar motion filed in response to the Consolidated Complaint within 30 days of the motion;
- d. Defendant shall file a reply in support of any motion to dismiss or similar motion within 14 days of Plaintiffs' opposition; and
- e. Defendant need not file a response to the Complaints in *Faniel* and *Jacks*, and the pending motion to dismiss in *Higgs* is hereby stricken without prejudice and no response by Plaintiffs is required.

IT IS SO ORDERED

Dated: January 27, 2023

A handwritten signature in black ink, appearing to read 'AMB', with a long horizontal stroke extending to the right.

Hon. Alfred H. Bennett
United States District Court for the Southern District
of Texas